

APPLICATION FOR AMENDMENT OF PLAN
UNDER SECTION 12A OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. Y/TW/19

<u>Applicants</u>	: Quality Venture Limited and Strong Fit Limited represented by Albert So Surveyors Limited
<u>Site</u>	: Lots 1177 S.A RP, 1181 and 1205 in D.D. 453, Fu Yung Shan, Tsuen Wan
<u>Site Area</u>	: About 11,574m ²
<u>Lease</u>	: (i) <u>Lot 1177 S.A RP in D.D. 453</u> - for agricultural purposes subject to Building Licence No. 521 dated 25.3.1952 (ii) <u>Lot 1181 in D.D. 453</u> - agricultural lot (iii) <u>Lot 1205 in D.D. 453</u> - for garden purposes
<u>Plan</u>	: Draft Tsuen Wan Outline Zoning Plan (OZP) No. S/TW/38 [currently in force] Draft Tsuen Wan OZP No. S/TW/36 [in force at the time of submission. The zoning and development restrictions for the application site remain unchanged on current OZP]
<u>Zoning</u>	: (i) “Green Belt” (“GB”) (about 90%) (ii) “Village Type Development” (“V”) (about 10%) - maximum building height (BH) of 3 storeys (8.23m)
<u>Proposed Amendment</u>	: To rezone the application site from “GB” and “V” to “Residential (Group B) 9” (“R(B)9”)

1. The Proposal

- 1.1 The applicants propose to rezone the application site (the Site) (**Plan Z-1**) from “GB” and “V” to “R(B)9” under section 12A (s.12A) of the pre-amended Town Planning Ordinance (the Ordinance) to facilitate a private residential cum Residential Care Home for the Elderly (RCHE) development. The applicants

propose to amend the Notes of the “R(B)” zone^[1] to add a new “R(B)” sub-zone, i.e. “R(B)9”, with development restrictions of a maximum GFA of 34,722m² and a maximum BH of 150mPD, with both ‘Flat’ and ‘Social Welfare Facility’ uses as always permitted uses under Column 1 of the Notes (**Appendix Ia-1**).

- 1.2 The Site, at the foothill of Fu Yung Shan, is located at the urban fringe of Tsuen Wan Town Centre (**Plan Z-1**). About 90% of the Site falls within an area zoned “GB” with a small portion in its southwestern corner (about 10%) within the fringe of a “V” zone^[2]. The Site is located at the southern periphery of the “GB” zone, which covers a total area of about 117 hectares and forms a buffer between Tsuen Wan New Town and Tai Mo Shan Country Park. The distance between the Site and the Country Park is about 300m. According to the bird eye view photo (**Plan Z-3b**) of the Site taken on 20.12.2024, site photo and survey plans (**Plan Z-2, Z-3b and Photo 2 of Plan Z-4**), about 47% of the Site has been covered by residential / temporary structures, a local access road and man-made slope with plantation, mainly in the northeastern, eastern and southern portions respectively. The remaining area of the Site is vegetated. The Site is accessible via an existing single lane local access road branching from the two-way two-lane Fu Yung Shan Road and running along the eastern fringe of the Site (**Plans Z-2, Z-4 and Z-7**).
- 1.3 According to the indicative scheme submitted by the applicants, the proposed development includes two residential towers providing 608 flats above a 2-level common basement carpark and a separate RCHE building providing 328 beds above an underground sewage treatment plant (STP). Variations in building height and building separations ranging from 8m to 15m are proposed in the indicative scheme to mitigate visual impact of the proposed development (**Drawing Z-21**). The indicative layout plan, floor layout plans, section diagrams, landscape master plan, landscape sections and photomontages are shown in **Drawings Z-1 to Z-20**. The major development parameters of the indicative scheme are summarised as follows:

Development Parameters	Proposed Development
Site Area	About 11,574m ²
GFA	34,722m ²
- Residential	- Not more than 29,322m ²
- RCHE	- About 5,400m ² ^[3]
Plot Ratio (PR)	3
- Residential	2.53
- RCHE	0.47
Site Coverage	Not more than 33%

^[1] According to the Notes of the current OZP, ‘Flat’ use is always permitted within all “R(B)” zones; and ‘Social Welfare Facility’ is always permitted within “R(B)6” to “R(B)8” zones, while it is a Column 2 use requiring planning permission within other “R(B)” sub-zones.

^[2] The concerned “V” zone covers Muk Min Ha Tsuen, which is a re-site village and not covered by village environs.

^[3] The RCHE is for habitation and is a domestic use under the Buildings Ordinance, and modification may be granted by the Building Authority for treating RCHE as non-domestic building for the purposes. Relevant criteria, e.g. no adverse comments from Social Welfare Department, are set out in Practice Notes for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers (PNAP)-APP 172 published by the Buildings Department (BD).

Development Parameters	Proposed Development
No. of Blocks	3 (2 residential towers and 1 RCHE building)
BH (mPD) - Tower 1 - Tower 2 - RCHE	135.7 146 80
No. of Storeys - Tower 1 - Tower 2 - RCHE	19 (excluding basement) 21 (excluding basement) 7 (excluding the underground STP)
No. of Units - Residential - RCHE	608 flats 328 beds
No. of Ancillary Car Parking / Loading & Unloading (L/UL) Facilities ^[4] - Private Car - Motorcycle - L/UL Bays - Shuttle Bus / Pick-up / Drop-off Lay-bys	133 (115 for residents, 10 for visitors; and 8 for RCHE) 7 (for residents) 3 (2 for residents and 1 for RCHE) 3 (2 for residential and 1 for RCHE)
Public Vehicle Park (PVP) ^[4]	20 private car parking spaces (not included in the proposed GFA above)
Design Population	2,456 (2,128 in residential towers and 328 in RCHE)

- 1.4 According to the Landscape Master Plan (LMP) and Landscape Proposal (**Drawings Z-14 to Z-17 and Drawing Z-24**), among the existing 303 trees within the Site, 191 affected trees which are in poor to fair conditions are proposed to be felled. None of the tree species are Registered Old and Valuable Tree (OVT) or rare specimens. 191 new trees including local species such as *Cinnamomum Burmannii* and *Sterculia Lanceolata* are proposed to be planted within the Site in achieving a compensation ratio of 1:1 in terms of quantity. Some of the new trees as well as vertical greening are proposed along the eastern and southern edges of the Site (**Drawings Z-14 to Z-17**). To further minimise the landscape impact, the applicants will confine the development footprint in the eastern and southern portions of the Site near the village / developed area, foothill area with more human disturbance and formed land under the indicative scheme (**Plan Z-3b and Drawing Z-14**). The existing 112 trees mostly at further uphill in the northwestern portion of the Site will be retained and form part of the communal open space with tree walk for residents to exercise and rest under the

^[4] The GFA accountability of PVP and ancillary car parking and L/UL facilities will be determined at building plan submission stage. Relevant criteria are set out in PNAP APP-2 published by BD.

development proposal (**Drawings Z-14 and Z-16**), with a view to minimising possible landscape impact and better integrating with the vegetated slope further uphill of Fu Yung Shan. Besides, not less than 1m² of private open space per person and not less than 20% of total greenery area will be provided within the Site. The proposed development will also comply with the Sustainable Building Design Guidelines.

- 1.5 To improve the access arrangement of the proposed development, the applicants commit to upgrading the existing single lane local access road between the Site and Fu Yung Shan Road to a two-way two-lane carriageway of minimum 7.3m wide with 2m-wide footpath (either on one side or both sides subject to space availability) and associated pedestrian crossings (**Drawing Z-22a**). The residents of Chung Kuk Terrace to the northeast of the Site (**Plan Z-2**) and nearby residential structures will be allowed to continue using the upgraded local access road. The applicants also propose to construct the whole section of the upgraded local access road and maintain the road (**Drawing Z-22a**) at their own costs.
- 1.6 The applicants also propose a PVP with 20 private car parking spaces in part of the basement carpark to alleviate the illegal parking in the vicinity of Fu Yung Shan Road (**Drawing Z-3**) after consultation with the Transport Department (TD). Shuttle buses with designated pick-up and drop-off area within the Site will be provided for residents if necessary. A new lay-by with associated pedestrian crossing facilities will also be provided by the applicants near the junction of Fu Yung Shan Road and the upgraded local access road (**Drawing Z-22a**). Widening of a short section of Route Twisk near Ma Sim Pai Road from existing single 2 lane-carriageway to 3 lane dual carriageway, relocation of existing bus stop and modification on road marking of Tsuen Kam Interchange will be carried out at the applicants' own costs (**Drawing Z-22b**) to alleviate the impact on the nearby roads. The refuse collect point (RCP) along the local access road affected by the proposed development will also be re-provided on the upgraded local access road at the applicants' own costs. The applicants propose the RCP, the new lay-by and the general lay-by for refuse collection vehicle to be handed over to relevant Government departments upon completion (**Drawing Z-22a**).
- 1.7 In support of the application, the applicants have conducted various technical assessments based on the indicative scheme including Traffic Impact Assessment (TIA), Drainage Impact Assessment (DIA), Sewerage Impact Assessment (SIA), Environmental Assessment (EA), Water Supply Impact Assessment (WSIA), Geotechnical Planning Review Report (GPRR), Ecological Impact Assessment (EcoIA), Visual Impact Assessment (VIA) and Air Ventilation Assessment (AVA) to support the proposed development. Among other things, as the Site is situated on a sloping topography, the GPRR recommends the construction of retaining walls mainly along the upgraded local access road and that a natural terrain hazard study should be conducted at the detailed design stage to ensure slope safety of the proposed development. The WSIA also recommends upgrading the existing fresh water and salt water pipes by the applicants to cater for the proposed development.
- 1.8 In support of the application, the applicants have submitted the following documents:

- (a) Application form received on 5.6.2023 (Appendix I)
- (b) Further information (FI) submission received on 14.1.2025 providing responses to departmental comments and a consolidated supplementary planning statement (SPS) which supersedes the original SPS and all previous FI submissions ^[5] (Appendix Ia)

1.9 On 25.8.2023 and 16.8.2024, the Committee agreed to defer making a decision on the application for two months each as requested by the applicants.

2. Justifications from the Applicants

The justifications put forth by the applicants in support of the application are detailed in the consolidated SPS at **Appendix Ia**, which are summarised below:

Increasing the Supply of Private Housing and RCHE with Better Environments

- (a) according to the Hong Kong Property Review, the vacancy rate for private domestic properties in the Tsuen Wan District is generally lower than that of Hong Kong. The approval of the proposed development with over 600 residential units would provide timely housing supply to cater for the strong private housing demand at district level;
- (b) in view of the ageing population in Hong Kong, a stable and growing demand for RCHE is expected, especially those with good ancillary facilities and living environment. The Site is located in a tranquil setting surrounded by greenery and is supported by accessible public transport networks, which can provide a pleasant living experience for elderly and is essential for enhancing their physical and mental health. The proposed RCHE will provide an average living area of about 10m² of floor space per elderly, which exceeds the existing minimum requirement. The proposed development also echoes with the 2022 Policy Address to encourage provision of elderly service facilities in private development projects;

Utilising the “GB” zone with Low Ecological Value and “V” zone in an Effective Manner

- (c) with reference to the habitat map in the EcoIA (**Drawing Z-23**), about half of the Site is dominated by village / developed area and plantation (mainly on the man-made slope), while the remaining habitats are characterised by orchard (artificial habitat for fruit cultivation of about 43%), and mixed woodland (about 4%). The overall ecological value of the Site is considered to be low and no species of conservation importance are identified within the Site. According to the submitted tree survey, about half of the trees in the Site are exotic species such as *Artocarpus Heterophyllus*, *Clausena Lansium* and *Dimocarpus Longan*. The existing trees in the eastern and southern portions of the Site are subject to more

^[5]Prior to the submission of the consolidated SPS, the applicants submitted ten FI submissions (received on 25.10.2023, 3.1.2024, 8.2.2024, 21.3.2024*, 3.4.2024, 5.6.2024, 26.9.2024, 10.12.2024, 30.12.2024* and 9.1.2025*) to respond to departmental comments and revise relevant technical assessments. Three FIs (marked with *) were accepted and exempted from publication and recounting requirement while other FIs were accepted but not exempted from recounting requirement.

human disturbance (such as heavily pruned or found to grow on concrete slopes), while trees on the vegetated slope with a steeper topography in the northwestern portion of the Site have higher landscape value with multiple layers of vegetation (**Drawing Z-24**);

- (d) with reference to the development of “GB” zone by the Government to increase housing land supply, the Site which is largely situated within “GB” zone with low ecological value as demonstrated in the EcoIA, is also considered a good example for the utilisation of “GB” sites. The overall ecological value of the Site is considered to be low and no species of conservation importance are identified within the Site. The proposed development will better utilise land resources in the “GB” and “V” zones at a location in close proximity to the developed area of Tsuen Wan;

Improving the Local Environment and Infrastructures

- (e) some dilapidated squatters and temporary structures are located within the Site. The proposed development would replace the existing dilapidated squatters and temporary structures with a well-designed and landscaped environment that is in full compliance with relevant standards and regulations. The aesthetics and safety of the neighbourhood would be significantly improved; and
- (f) the applicants will undertake to upgrade the existing sub-standard local access road into a two-way two-lane road with footpath, proper landscaping, lighting and slope stabilisation works, provide a new lay-by with associated crossing facilities near the junction of the upgraded local access road and Fu Yung Shan Road, re-provide the affected RCP with associated lay-by for refuse collection vehicle, carry out road improvement works near Tsuen Kam Interchange, relocate the bus stop at Route Twisk and upgrade the water supply system in the locality to cater for the anticipated demand from the proposed development and its surroundings at their own cost, which will improve the local environment and infrastructure.

3. Compliance with the “Owner’s Consent/Notification” Requirements

The applicants are two of the current land owners of the Site^[6]. In respect of the other current land owners, the applicants have complied with the requirements as set out in the Town Planning Board Guidelines on Satisfying the “Owner’s Consent/Notification” Requirements under s.12A and 16 of the Town Planning Board Guidelines (TPB PG-No. 31B) by publishing notices in local newspapers and posting notice in a prominent position on or near the Site. Detailed information would be deposited at the meeting for Members’ inspection.

4. Background

The Site was zoned “GB” and “Residential” on the then Tsuen Wan & District Outline

^[6] The applicants are the current land owners of Lots 1177 S.A. RP, 1181 and 1205 in D.D. 453, while a small part of lots 1177 S.A RP and 1205 in D.D. 453 are adversely possessed by third parties, with the occupied and easement area accounting for about 11% of the total area of the Site.

Development Plan (TW&DODP) No. LTW/75 in 1963. In relocating the villages originally situated near the current MTR Tsuen Wan Station for new town development, part of the concerned “Residential” and “GB” zones were subsequently rezoned to “V” on the then TW&DODP No. LTW/131 in 1971. A minor portion of the “V” zone was slightly adjusted in 1978 to cater for the alignment of Cheung Pei Shan Road and Route Twisk on the then TW&DODP No. LTW/146C. The zonings of the Site have remained unchanged since then.

5. **Previous Applications**

- 5.1 The eastern portion of the Site is the subject of two rezoning requests (Nos. Z/TW/1 and Z/TW/3) submitted by different applicants for proposed residential development with PR of 0.9 and 0.75 respectively and both with BH of 4 storeys over 1 carpark level (**Plan Z-1**). In respect of the rezoning request No. Z/TW/1 for rezoning that site from mainly “GB” to “R(B)”, it was rejected by the Committee on 11.6.1999 for the reasons that the development intensity was excessive in the green belt setting, there was insufficient information to demonstrate that the development would not affect the landscape quality and slope safety of the area, and approval would set an undesirable precedent for similar requests which would further aggravate the traffic conditions of Route Twisk.
- 5.2 Subsequently, the rezoning request No. Z/TW/3 for rezoning the site from “GB” to “R(B)” or “Comprehensive Development Area” was also rejected by the Committee on 13.10.2000 on similar grounds as mentioned above with an additional rejection reason on unsatisfactory parking, L/UL and access arrangement, while slope safety was no longer a rejection reason as the submitted natural terrain assessment addressed the geotechnical concerns.

6. **Similar Application**

There is no similar application on the OZP.

7. **The Site and Its Surrounding Areas** (Plans Z-1 to Z-3b, Z-8 to Z-9 and photos on Plans Z-4 to Z-7)

7.1 The Site:

- (a) is subject to human disturbance at its eastern and southern portions which consist of residential / temporary structures, the local access road and man-made slope with plantation, which together account for about 47% of the Site area (**Plan Z-3b**), while the remaining area is vegetated;
- (b) features a sloping topography, rising from about 50mPD in the south to about 100mPD in the north; and
- (c) is situated at 300m north of MTR Tsuen Wan Station at the urban fringe of Tsuen Wan Town Centre (**Plan Z-8**).

7.2 The surrounding areas of the Site have the following characteristics:

- (a) high-rise developments are located to the south of the Site across Cheung Pei Shan Road near MTR Tsuen Wan Station, such as Tsuen Kam Centre, Discovery Park and Luk Yeung Sun Chuen with maximum domestic PRs ranging from 2.6 to 6.4 and BHs ranging from 105mPD to 156mPD (**Plan Z-9**);
- (b) to the immediate east, southeast and south of the Site are some urban fringe developments, including a re-site village zoned “V” namely Muk Min Ha Tsuen and some religious institutions such as Chuk Lam Sim Yuen (a Grade 2 historic building) and Sim Lo in the “Government, Institution or Community (5)” (“G/IC(5)”) to “G/IC(8)” zones (**Plans Z-1 and Z-2**). Two medium density developments, namely The Cliveden and The Cairnhill, are located to the further northwest of the Site with maximum domestic PR of about 3 and BHs ranging from 212 to 256mPD (**Plan Z-9**);
- (c) some squatters, low-rise residential structures including Chung Kuk Terrace and a motor repair workshop are scattered to the east and northeast of the Site along the local access road within the “GB” zone (**Plan Z-2**); and
- (d) Tai Mo Shan Country Park is on the upper hillside above 200mPD and separated by Fu Yung Shan from Tsuen Wan Town Centre (**Plan Z-1**) to the north of the Site of about 300m.

8. **Planning Intentions**

- 8.1 The planning intention of the “GB” zone is primarily for the conservation of the existing natural environment amid the built up areas/at the urban fringe, to safeguard it from encroachment by urban type development, and to provide additional outlets for passive recreational activities. There is a general presumption against development within this zone.
- 8.2 The planning intention of the “V” zone is to reflect existing recognised and other villages, and to provide land considered suitable for village expansion and reprovisioning of village houses affected by Government projects. Land within this zone is primarily intended for development of Small Houses by indigenous villagers. It is also intended to concentrate village type development within this zone for a more orderly development pattern, efficient use of land and provision of infrastructures and services. Selected commercial and community uses serving the needs of the villagers and in support of the village development are always permitted on the ground floor of a New Territories Exempted House. Other commercial, community and recreational uses may be permitted on application to the Town Planning Board (the Board).

9. Comments from Relevant Government Bureau/Departments

- 9.1 The following Government bureau/departments have been consulted and their views on the application are summarised as follows:

Land Administration

- 9.1.1 Comments of the District Lands Officer/Tsuen Wan and Kwai Tsing, Lands Department (DLO/TW&KT, LandsD):

- (a) the proposed residential cum RCHE development is not acceptable under the existing leases. If the s.12A application is approved by the Board, an application for land exchange is required for implementation of the proposed development;
- (b) Lots 1177 S.A RP and 1205 in D.D. 453 are subject to title problems with adverse possession established. Unauthorised buildings/structures are found within the boundaries of the lots which are in breach of the lease conditions. It is noted from the applicants that during the land exchange application, they will simultaneously take actions to settle the adverse possession and squatter matters with a view to obtaining vacant possession of the whole site for clearance prior to the completion and execution of proposed land exchange. There is no guarantee that the surrender of land in possessory title or occupation by others under the proposed land exchange will be accepted by the Government;
- (c) he reserves his comment on the proposed schematic design which will only be examined in detail during the building plan submission stage upon completion of the land exchange. There is no guarantee that the schematic design as presently proposed in the subject s.12A application if reflected in future building plan submission(s) will be acceptable under lease;
- (d) not more than 20 car parking spaces are proposed for public use, which may have GFA implication and subject to payment of premium;
- (e) the proposed road improvement works (**Drawing Z-22a**) would involve a number of slopes under the Systematic Identification of Maintenance Responsibility of Slopes in the Territory (SIMAR) outside the southern boundary of the Site. The applicants should consult the responsible maintenance party of these slopes when assessing the technical feasibility of the proposed road; and
- (f) other detailed comments are at **Appendix II**.

Traffic

9.1.2 Comments of the Commissioner for Transport (C for T):

- (a) no in-principle objection to the application from traffic engineering point of view including the following traffic management and road improvement measures as specified in the TIA;
- (b) to accommodate the traffic generated from the proposed development, the applicants propose to carry out the following road widening and junction improvement works at his own cost, which will be completed prior to the population intake of the development:
 - (i) to upgrade the section of the local access road between the Site and Fu Yung Shan Road to a minimum of 7.3m wide carriageway with 2.0m footpath (either on one side or both side subjected to space availability); (ii) to provide a general lay-by for refuse collection vehicle near the upgraded local access road and Fu Yung Shan Road; (iii) to provide a new general lay-by with a new at-grade crossing near the junction of the upgraded local access road and Fu Yung Shan road to facilitate the boarding and alighting activities of the local residents (**Drawing Z-22a**); (iv) to widen a short section of Route Twisk near Ma Sim Pai Road from existing single 2 lane-carriageway to 3 lane dual carriageway; (v) to relocate the existing bus stop at Route Twisk westbound (uphill) direction to the west approximate 130m towards Muk Min Ha Tsuen; and (vi) to modify the road marking of Tsuen Kam Interchange to facilitate the vehicle from the Route Twisk arm entering the interchange (**Drawing Z-22b**);
- (c) the applicants also propose to provide 20 numbers of PVP to alleviate the parking demand along Fu Yung Shan Road and provide shuttle bus services if the public transport services could not be scaled up to accommodate the additional passenger demand and the detailed picking up and drop off point will be provided at detailed design stage; and
- (d) to mitigate the traffic impact arising from the proposed RCHE development, a visit-by-appointment system will be implemented to reserve car parking space for RCHE use as proposed by the applicants. The arrangement will be clearly stipulated on the house rule of the RCHE and require all future customers to accept.

9.1.3 Comments of the Chief Highway Engineer/New Territories West, Highways Department (CHE/NTW, HyD):

- (a) no comment on the application from highway maintenance perspective; and
- (b) further comments will be given upon the receipt of the detailed design from the applicants.

Environment

9.1.4 Comments of the Director of Environmental Protection (DEP):

having reviewed the EA, he has no objection to the application from the environmental planning viewpoint and it is noted that:

- (a) no air sensitive uses, including openable windows, fresh air intake of mechanical ventilation and recreational uses in the open area of the proposed development would be located within the buffer distance from road recommended by the Hong Kong Planning Standards and Guidelines (HKPSG);
- (b) no chimney is found within 200m from the Site boundary. The applicants have also conducted site survey and found no emission sources in the nearby motor repair workshop and no furnaces and joss paper burning activity in the nearby monasteries. The EA concludes there would be no adverse air quality impact on the proposed development;
- (c) according to the road traffic noise impact assessment in the EA, with the application of the recommended noise mitigation measures including acoustic window (baffle type) and enhanced acoustic balcony, the traffic noise level at representative noise sensitive receivers of the proposed development will comply with HKPSG road traffic noise planning standard;
- (d) the EA also includes a railway noise impact assessment and the predicted results are within the noise standard. Regarding fixed noise source, site visits have been conducted and found that there shall not be noise impact from the motor repair workshop on the proposed development; and
- (e) according to the applicants, it is difficult to have upgrading works on the public sewerage in view of traffic flow of Route Twisk. Thus, the applicants have proposed that all sewage generated will be properly discharged through the proposed on-site STP. Nevertheless, noting from HKPSG Chapter 9 that in general, public sewerage should be used as this is the most efficient and safe means for sewage disposal, the applicants have undertaken to explore the feasibility for sewer connection during the design stage.

Social Welfare

9.1.5 Comments of the Director of Social Welfare (DSW):

- (a) no comment on the setting up of the proposed private RCHE on conditions that the RCHE incurs no financial implication, both capital and recurrent, to the Government and the design and construction are in full compliance with the statutory and licensing requirements;

- (b) the setting up of self-financed / privately-operated RCHEs in the private market can allow flexibility for frail elderly persons who can afford non-subsidised residential care services to choose among services outside the public arena. While admission to these RCHEs is independent from the Central Waiting List administered by the Social Welfare Department (SWD), the RCHEs operators have the autonomy to define the admission criteria of their service users; and
- (c) other detailed comments are at **Appendix II**.

Urban Design, Landscape and Air Ventilation Aspects

9.1.6 Comments of the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L of PlanD):

Urban Design

- (a) the Site is situated at the foothill of Fu Yung Shan and forms part of a vast area zoned “GB” located to the north of Cheung Pei Shan Road. To the northeast and east of the Site is a cluster of temples and monasteries with BH ranging from 1 to 3 storeys, including Chuk Lam Sim Yuen, which is a Grade 2 historic building with BH up to about 111mPD. To the southeast of the Site is a cluster of village houses with BH ranging from 1 to 3 storeys;
- (b) in view of context and judging from the photomontages submitted in the VIA, the visual impact from selected vantage points ranges from “negligible to moderately adverse”. The proposed development, with relatively substantial scale and massing, will introduce a different built form and land use character to the area north of Cheung Pei Shan Road. Accommodation of the proposed development with BH up to 21-storey will inevitably change the existing low-rise and low-density character of the immediate surrounding townscape. The proposed development would also appear to be higher than some of the developments to the south of Cheung Pei Shan Road, with BH ranging from 110mPD to 150mPD. Nevertheless, the proposed development would be partially screened by existing surrounding developments when viewing from the inland of Tsuen Wan at a farther distance from the southwest (**Drawing Z-20**). The proposed development has incorporated design measures including (i) building separations of about 15m wide between Towers 1 and 2, about 8m between Tower 1 and the RCHE block, and about 11m between Tower 2 and the RCHE block (**Drawing Z-21**); and (ii) landscape treatment at various levels (e.g. rooftop greening on the RCHE block, new trees and fence wall with vertical greening along access road, and terraced planting at the retaining wall to the north of the RCHE block) (**Drawings Z-14 to Z-17**) which may help add visual interest and soften the development edges;

Landscape

- (c) no comment on the application from landscape planning perspective;
- (d) according to the aerial photo, the Site is situated in an area intermixed with small houses, uplands and hillside landscape, woodland and monastery. It is mainly covered by residential / temporary structures and vegetation. According to the landscape proposal, there are 5 tree groups with approximately 303 trees identified within the Site boundary. 112 trees are proposed to be retained and 191 trees are proposed to be felled. The applicants reported that no registered OVT or rare specimen of tree was found within the Site;
- (e) with reference to the LMP (**Drawing Z-14**), landscape provisions such as tree and shrub planting at main entrance, recreational facilities and communal gardens at G/F, roof garden at RCHE, tree walk at the north-western slope, peripheral planting on slope and peripheral planting along site boundary are proposed. 191 new trees are proposed to be planted within the Site;
- (f) other detailed comments are at **Appendix II**;

Air Ventilation

- (g) an AVA Initial Study using computational fluid dynamic modelling has been carried out to compare the pedestrian wind environment in the surroundings of the indicative scheme with the existing condition. The indicative scheme incorporated wind enhancement measures including podium free design and one 15m-wide building separation between T1 and T2 (**Drawing Z-21**). According to the simulation results, the indicative scheme achieves a better pedestrian wind environment at the immediate vicinity and the surrounding area, when compared to the existing conditions, both in annual and summer conditions; and
- (h) Given the relative open existing site condition, the proposed high-rise development would induce more downwashed wind to the pedestrian level and enhance the local wind environment. In addition, the aforementioned measures would further alleviate the potential adverse impact of the proposed high-rise development. Thus, an overall enhancement is achieved.

9.1.7 Comments of the Chief Architect/Advisory & Statutory Compliance Division, Architectural Services Department (CA/ASC, ArchSD)

- (a) no comment on the proposal from architectural and visual impact point of view;
- (b) it is noted from the photomontages in the VIA that the proposed development may not be incompatible with the nearby high-rise

residential blocks, but it may have some visual impact on the adjacent village type buildings; and

- (c) to avoid adverse impact on the ventilation and air permeability, the applicants are reminded to comply with the building separation requirements and the sustainable design guidelines promulgated under PNAP APP-152.

Nature Conservation

9.1.8 Comment from the Director of Agriculture, Fisheries and Conservation (DAFC):

- (a) no strong view on the application from nature conservation perspective; and
- (b) no comment on the EcoIA.

Drainage and Sewerage

9.1.9 Comments of the Chief Engineer/Mainland South, DSD (CE/MS, DSD):

- (a) no comment on the DIA and SIA and no comment on the application from drainage maintenance point of view; and
- (b) the use and design of proposed on-site STP should be subject to the views and agreement of the Environmental Protection Department and any relevant statutory requirements.

Water Supply

9.1.10 Comments of the Chief Engineer/Construction, Water Supplies Department (CE/C, WSD):

- (a) no objection to the application;
- (b) the applicants shall be responsible for design and construction of the proposed fresh and salt water mains as proposed under the WSIA. The design and construction of the proposed water works shall be carried out to the satisfaction of WSD. The completed waterworks shall be handed over to WSD; and
- (c) other detailed comments are at **Appendix II**.

Geotechnical Aspect

9.1.11 Comments of the Head of the Geotechnical Engineering Office, Civil Engineering and Development Department (H(GEO), CEDD):

- (a) no in principle objection to the application;

- (b) no geotechnical comment on the GPRR; and
- (c) it is noted that the Site meets the “Alert Criteria” and a Natural Terrain Hazard Study is proposed in the GPRR.

Building Matters

9.1.12 Comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD):

- (a) no objection to the application; and
- (b) other detailed comments are at **Appendix II**.

Fire Safety

9.1.13 Comments of the Director of Fire Services (D of FS):

- (a) no objection in principle to the application provided that fire service installations and equipment being provided to his satisfaction;
- (b) any proposals with the nature of residential care homes (elderly persons), the height restriction as stipulated in the respective regulation and code of practice shall be observed; and
- (c) detailed fire services requirements will be formulated upon receipt of formal submission of general building plans.

Other Aspects

9.1.14 Comments of the Chief Heritage Executive (Antiquities & Monuments) of the Antiquities and Monuments Office (AMO), Development Bureau:

- (a) it is noted that Chuk Lam Sim Yuen in Fu Yung Shan, i.e. a Grade 2 historic building, is located 70m away from the Site. He has no comment on the application provided that the works arising from the application, if approved by the Committee, will not impose any adverse impact on the said historic building;
- (b) if there are any buildings / structures both at grade and underground which were built in or before 1969 would likely be affected by the development, AMO should be alerted in an early stage or once identified; and
- (c) the project proponent is required to inform AMO immediately when any antiquities or supposed antiquities under the Antiquities and Monuments Ordinance (Cap. 53) are discovered in the course of works.

9.1.15 Comments of the Director of Food and Environmental Hygiene (DFEH):

- (a) the RCP in form of solar-powered compacting refuse bin at Fu Yung Shan Road will be affected by the proposed development (**Drawing Z-22a**). Reprovision of the solar-powered compacting refuse bin by the project proponents up to the satisfaction of the Food and Environmental Hygiene Department (FEHD) and other relevant departments is required;
- (b) other detailed comments are at **Appendix II**.

9.1.16 Comments of the Director of Electrical & Mechanical Services:

- (a) regarding the public comment on Quantitative Risk Assessment (QRA) (paragraph 10.4(a) refers), it is not a compulsory requirement to conduct a QRA when working near Intermediate Pressure B gas pipe. Nevertheless, the project proponent should liaise with The Hong Kong and China Gas Company Limited (HKCG) in respect of the exact locations of existing or planned gas pipes/gas installations in the vicinity of the works site and any required minimum set back distance away from them during the design and construction stages of development; and
- (b) the project proponent is also reminded to observe the Electrical and Mechanical Services Department's requirements on the "Avoidance of Damage to Gas Pipes 2nd Edition".

District Office

9.1.17 Comments of the District Officer (Tsuen Wan), Home Affairs Department:

- (a) the application was discussed in the Development and Planning Committee of Tsuen Wan District Council (TWDC) in March 2024. During the meeting, members raised comments and enquiries on the application, which are summarised below:
 - (i) the Site is in close proximity to Route Twisk and Tsuen Kam Interchange, where traffic congestion often occurred during peak hours. Comprehensive traffic planning and improvement scheme should be implemented;
 - (ii) whether the proposed development can provide hourly parking spaces;
 - (iii) transport arrangements and safety issues for RCHE during adverse weather / heavy rain / typhoon should be considered;
 - (iv) the number of parking spaces proposed in the development is insufficient and that the nearby ancillary transport facilities would be inadequate to cope with the increase in traffic volume caused by the large number of visitors to the RCHE

on weekends; and

- (v) residents of Chung Kuk Terrace expressed concern that the proposed development would impede them from using the local access road.

9.2 The following Government departments have no comment on the application:

- (a) the Project Manager (West), CEDD; and
- (b) the Commissioner of Police.

10. Public Comments Received During Statutory Publication Periods

10.1 During the statutory public inspection periods, a total of 400 public comments were received, including 237 supportive comments from residents of Fu Yung Shan and individuals (**Appendix IIIa**); 154 objecting comments / expressing concerns on the application from residents currently living within the Site, residents of Chung Kuk Terrace and Fu Yung Shan, villagers / village representatives of Fu Yung Shan, Muk Min Ha Tsuen and San Tsuen, Chuk Lam Sim Yuen, Tung Lum Home for the Aged, the Conservancy Association, Kadoorie Farm and Botanic Garden Corporation, local groups (namely 荃灣大利堂花炮會 and Fu Yung Shan Community Concern Group), a joint letter with 357 signatures of individuals, and other individuals (**Appendix IIIb**); and 9 comments providing suggestions / views on the application from HKCG, MTR Corporation Limited, 荃灣白田背、芙蓉山、西樓角三村村民福利會 and individuals (**Appendix IIIc**).

Supporting Views (237)

10.2 The supporting comments are summarised as follows:

- (a) the proposed development could increase housing supply to accommodate the growing population in the district;
- (b) the proposed development with RCHE could help address the shortfall of housing and elderly facilities amid an ageing population in the community; and
- (c) the location of the proposed development is well-served by existing road network and public transport facilities, making it easily accessible for future occupants.

Objecting Views/Concerns (154)

10.3 The objecting comments / comments expressing concern are summarised as follows:

- (a) there is insufficient justification for the rezoning application, as the housing market currently has surplus in supply, and there are already some RCHEs

near the Site;

- (b) the two proposed residential towers with 19 and 21 storeys are visually incompatible with the low-rise developments and rural landscape in the surroundings and will cause adverse air ventilation impact;
- (c) the traffic capacity is already overloaded, especially along Route Twisk and at Tsuen Kam Interchange. Other infrastructural facilities will also be overloaded. Public transport services and parking facilities are insufficient especially during Ching Ming Festival and Chung Yeung Festival. Additional demand arising from the proposed development will worsen the traffic conditions and pedestrian safety in the area and affect the access of emergency vehicles to the existing RCHes nearby;
- (d) it is uncertain whether the proposed road improvement works and traffic measures proposed by the applicants are effective and implementable;
- (e) the proposed development will pose potential landslide hazards. The impact assessments did not provide information on the landslide risks and associated mitigation measures;
- (f) the proposed development will involve extensive vegetation clearance, generate environmental problems and damage the natural habitat and ecosystem in the surroundings, which will lead to extreme climate. The proposed development will also cause adverse impact to the sewerage system. Smokes and noise from nearby temples will also cause adverse impacts on future occupants of the proposed development;
- (g) the proposed development is excessive in scale and will undermine the buffer function of the “GB” zone. It is not in line with the planning intention of the “GB” zone to conserve natural environment and provide outlets for recreational activities. Approval of the application would set an undesirable precedent for similar developments at the urban fringe of Tsuen Wan Town Centre, cumulative impact of which would undermine the integrity of the “GB” zone; and
- (h) there is a lack of public consultation for the proposed development. The proposed development will result in loss of living place of local residents. As there is no compensation and rehousing plan, the applicants should negotiate with affected stakeholders and provide them with due compensation and interim arrangement during construction.

Providing Suggestions/Views (9)

10.4 Public comments providing suggestions / views are summarised as follows:

- (a) the applicants should conduct an Quantitative Risk Assessment and consult HKCG during the construction and design stages in view of the gas pipeline at Route Twisk;
- (b) railway operations in MTR Tsuen Wan Depot could pose adverse noise

impacts on the future occupants of the proposed development. Relevant noise mitigation measures should be carried out by the applicants at their own cost; and

- (c) the local access road within the Site is the only road access to Chung Kuk Terrace. The applicants should implement proper traffic improvement schemes or construct a footbridge to improve the traffic congestion in the area and ensure that local residents and the general public can still access the road after the development.

11. Planning Considerations and Assessments

- 11.1 The application is for the proposed amendments to the OZP to rezone the Site, which covers solely private land, from mainly “GB” (about 90%) with a small portion zoned “V” (about 10%) to “R(B)9” to facilitate a proposed private residential development cum RCHE. The applicants propose the new “R(B)9” sub-zone for the Site, under which ‘Flat’ and ‘Social Welfare Facility’ are always permitted uses under Column 1 and development /redevelopment is subject to a maximum GFA of 34,722m² (including GFA for both residential development and RCHE) and a maximum BH of 150mPD. According to the indicative scheme submitted by the applicants, the proposed development comprises two residential towers of 135.7mPD and 146mPD (19 to 21 storeys) above a common two level basement carpark and one RCHE block of 80mPD (7 storeys) above an underground STP. Part of the basement carpark is proposed as PVP with 20 private car parking spaces.

Planning Intention and Land Use Compatibility

- 11.2 The planning intention of the “GB” zone is primarily for the conservation of the existing natural environment amid the built up areas/at the urban fringe, to safeguard it from encroachment by urban type development, and to provide additional outlets for passive recreational activities. There is a general presumption against development within this zone. The whole concerned “GB” zone at Fu Yung Shan covers an area of about 117 hectares and forms a buffer between Tsuen Wan New Town and Tai Mo Shan Country Park. The Site is located at the urban fringe area and the southern fringe of the “GB” zone adjoining Muk Min Ha Tsuen zoned “V” with Fu Yung Shan Road and Cheung Pei Shan Road in its south. The Site is about 1.16 hectares and about 47% of it is already occupied by residential / temporary structures, local road and man-made slope with plantation (see paragraph 1.2 above). To minimise the landscape impact, the applicants propose to confine the development footprint in the eastern and southern portions of the Site near the village / developed area already with more human disturbance, and retain 112 trees in the uphill northwestern portion (**Drawing Z-14**). The retained trees will form part of the communal open space of the proposed development, so as to minimise possible landscape impact and better integrate with the vegetated slope further uphill of Fu Yung Shan within the “GB” zone. The impact on the integrity of “GB” zone as a whole will be minimal and a buffer distance of about 300m between the proposed development and Tai Mo Shan Country Park will be maintained (**Plan Z-1**).

- 11.3 While a minor portion (about 10%) of the Site falls in the fringe of the “V” zone, the concerned Muk Min Ha Tsuen within the “V” zone is a well-established re-site village not covered by village environs and no new Small House application will be allowed. As the portion of the “V” zone within the Site is not covered by any Small House and is under the applicants’ ownership, approval of the current application would not affect the Small House development in the area.
- 11.4 In terms of land use compatibility, the Site is located at the fringe of Tsuen Wan Town Centre which is close to the high-rise residential development near MTR Tsuen Wan Station (e.g. Luk Yeung Sun Chuen, Tsuen Kam Centre and Discovery Park) (**Plan Z-3a**). Religious and village clusters are also located to the immediate east and south of the Site. The proposed residential cum RCHE development at the Site is considered not incompatible with the surrounding land uses.

Development Scale

- 11.5 In terms of PR, the proposed “R(B)9” zone with a PR of 3, is within the range of the permissible PR under other “R(B)” sites in the Tsuen Wan planning scheme area, i.e. 1.6 to 4. The two medium density residential developments in the “R(B)2” and “R(B)3” zones^[7], namely The Cairnhill and The Cliveden respectively, located in the upstream section of Route Twisk, are surrounded by “GB” zone and have existing PR of about 3 (**Plan Z-9**). To the southeast and southwest of the Site near MTR Tsuen Wan Station are high-rise residential developments, namely Luk Yeung Sun Chuen, Tsuen Kam Centre and Discovery Park with maximum domestic PRs ranging from about 2.6 to 6.4.
- 11.6 In terms of BH, the proposed “R(B)9” zone with a maximum BH of 150mPD, is considered not incompatible with the urban fringe of Tsuen Wan Town Centre comprising the high-rise residential developments near MTR Tsuen Wan Station of 105 to 156mPD and the medium density developments (i.e. The Cairnhill and The Cliveden of 212mPD to 256mPD) at the upstream section of Route Twisk on the hillside (**Plan Z-9**).
- 11.7 In the light of the above planning context, the proposed development restrictions of maximum PR of 3 and maximum BH of 150mPD for the Site is considered not unacceptable at the urban fringe of Tsuen Wan Town Centre.

Urban Design, Landscape and Air Ventilation

- 11.8 The Site is situated at the foothill of Fu Yung Shan which is surrounded by low-rise monasteries, religious institutions, village houses and woodland (**Plans Z-1 and Z-3**). As illustrated in the VIA and the photomontages submitted by the applicants (**Drawings Z-18 and Z-19**), the proposed development, with BH up to 21 storeys, will unavoidably introduce different built form and land use character compared with its immediate surrounding areas, with the visual impact at the selected viewpoints in the submitted VIA considered to be ‘slightly adverse’

^[7] According to the Notes of the OZP, the maximum GFA for “R(B)2” and “R(B)3” zones are 76,890m² and 20,190m² respectively (equivalent to about PR 3).

to ‘moderately adverse’. Nevertheless, as the Site is located at the urban fringe of Tsuen Wan Town Centre, the proposed development is partially screened by existing developments and forms part of the urban environment near MTR Tsuen Wan Station when viewed from the Tsuen Wan Town Centre (**Drawing Z-20**). CTP/UD&L of PlanD considers that the design measures proposed by the applicants such as (i) building separations between towers (**Drawing Z-21**); (ii) landscape treatments at various levels (**Drawings Z-14 to Z-17**) (e.g. rooftop greening on the RCHE block, new trees and fence wall with vertical greening along access road, and terraced planting at the retaining wall to the north of the RCHE block) may help add visual interest and soften the development edges. CA/ASC of ArchSD comments that the proposed development may not be incompatible with the nearby high-rise residential blocks, but it may have some visual impact on the adjacent village houses.

- 11.9 According to the habitat map from the submitted EcoIA (**Drawing Z-23**), about half of the Site is dominated by village / developed area and plantation (mainly on the man-made slope), while the remaining habitats are characterised by orchard and mixed woodland. The submitted EcoIA indicates that the overall ecological value of the Site is considered to be low and no species of conservation importance are identified in the Site. DAFC has no comment on the EcoIA and no strong view on the application from nature conservation perspective. With reference to the submitted LMP and Landscape Proposal (**Drawings Z-14 and Z-24**), the 191 affected trees to be felled within the Site, including exotic species, such as *Artocarpus Heterophyllus*, *Clausena Lansium* and *Dimocarpus Longan* etc, are in poor to fair condition, and none of the tree species are OVT or specimens of conservation importance. 191 new trees including local species such as *Cinnamomum Burmannii* and *Sterculia Lanceolata* are proposed to be planted in a compensation ratio of 1:1. CTP/UD&L of PlanD has no comment on the application from landscape planning perspective.
- 11.10 To alleviate the potential impact on pedestrian wind environment, the applicants have incorporated podium free design and a 15m-wide building separation between residential towers (**Drawing Z-21**). According to the submitted AVA, the indicative scheme achieves a better pedestrian wind environment at the immediate vicinity and the surrounding area when compared to the existing condition due to downwashed wind induced by the proposed development. As such, no adverse air ventilation impact on the surrounding wind environment would be anticipated.
- 11.11 In light of the aforementioned considerations, it is considered not unacceptable to rezone the Site comprising solely private land as proposed by the applicants for medium density residential development with RCHE to facilitate better utilisation of land resources. The rezoning of the Site for residential use is also in line with the criteria of Government’s review of “GB” sites for housing developments in that the Site is situated in the fringe of built-up areas close to existing urban areas in Tsuen Wan and supporting infrastructure facilities, and the vegetated areas in the Site have relatively less buffering effect and lower conservation value.

Traffic

- 11.12 The Site is accessible via the existing local access road connecting to Fung Yung Shan Road and Tsuen Kam Interchange (**Plan Z-1**). At present, the local access road is the only vehicular access serving the Site. According to the submitted TIA, considering the current traffic situation of nearby road network, the applicants propose to upgrade the section of local access road between Fu Yung Shan Road and the northern boundary of the Site to a two-way two-lane carriageway of minimum 7.3m wide with 2m-wide footpath (either on one side or both side subject to space availability) (**Drawing Z-22a**). The upgraded local access road will be constructed at applicants' own costs. The residents of Chung Kuk Terrace to the north of the Site will be allowed to continue the use of the upgraded access road. Besides, the applicants propose road improvement works including widening a short section of Route Twisk and modification of road marking of Tsuen Kam Interchange to alleviate the impact on the road (**Drawing Z-22b**).
- 11.13 To alleviate the illegal parking observed along Fu Yung Shan Road, the applicants will provide a PVP in part of the basement carpark containing 20 private car parking spaces in the proposed development as a planning gain. A lay-by with associated pedestrian crossings (**Drawing Z-22a**) will also be provided by the applicants at their own cost along Fu Yung Shan Road to cater for the anticipated increase in trips along Fu Yung Shan Road due to the proposed development. Shuttle buses with designated pick-up and drop-off area within the Site will be provided for residents if necessary. In this regard, C for T has no in-principle objection to the proposed traffic improvement measures.

Other Technical Aspects

- 11.14 To facilitate the proposed development, the applicants propose to construct the on-site underground STP for exclusive use of the development and upgrade the fresh water and salt water system serving the area and connected to the Site at their own costs. The technical feasibility of these works has been demonstrated through the submitted SIA and WSIA. The GPRR submitted by the applicants also proposes that a natural terrain hazard study and detailed geotechnical assessment will be conducted at detailed design stage. Relevant Government departments (i.e. CE/MS of DSD, DEP, CE/C of WSD; and H(GEO) of CEDD) have no objection to the application. Details of the provision of RCHE and relocation of RCP would also be subject to scrutiny by SWD and FEHD at the land exchange stage. The RCHE would also need to meet the specific requirements of SWD at the license application stage.

Previous Applications

- 11.15 Two rezoning requests (Nos. Z/TW/1 and Z/TW/3) covering part of the Site for proposed residential development with PR of 0.9 and 0.75 respectively and both with BH of 4 storeys over 1 carpark were rejected by the Committee on 11.6.1999 and 13.10.2000 with rejection reasons mainly on technical aspects, excessive development intensity and setting of undesirable precedent for similar rezoning request. In the current application, the applicants have submitted relevant technical assessments to demonstrate the technical feasibility in terms

of traffic, geotechnical, visual, urban design, landscape and infrastructural aspects.

- 11.16 Regarding development intensity, it should be noted that the two residential developments, namely The Cliveden and The Cairnhill, are located in the upstream section of Route Twisk to the northwest of the Site which were completed in 2003 and 2005 respectively with a PR of about 3 after the rejection of the two aforesaid rezoning requests. In view of the change in planning circumstances and the fact that all relevant Government departments have no objection to the application, the current application should be assessed based on its own merits.

Proposed Notes of the OZP

- 11.17 The applicants propose to include ‘Flat’ and ‘Social Welfare Facility’ as always permitted uses under Column 1 in the new “R(B)9” sub-zone with development restrictions of a maximum GFA of 34,722m² and a maximum BH of 150mPD (**Appendix Ia-1**). However, for better control of the proposed development, it is proposed to revise the Notes for the new “R(B)9” sub-zone proposed by the applicants as follows:

- (i) it is considered more appropriate to stipulate restriction for the minimum provision of social welfare facilities (SWFs) including RCHE, i.e. a minimum GFA of not less than 5,400m² for GIC facilities, so as to better reflect the intention of the proposed private RCHE development in the indicative scheme and allow flexibility to provide more SWFs in terms of types and floor area;
- (ii) in view of the applicants’ notional scheme to confine the development footprint in the eastern and southern portions of the Site and retain the northwestern portion with higher landscape value as a communal open space of the proposed development, a non-building area (NBA) should be imposed thereat for better control (**Plan Z-10**). Such intention will also be suitably incorporated into the Explanatory Statement;
- (iii) to facilitate the provision of 20 public car parking spaces as proposed by the applicants, ‘Public Vehicle Park’ should be included as always permitted use under Column 1 in the Notes for the new “R(B)9” sub-zone; and
- (iv) while the technical assessments have demonstrated the feasibility of the proposed underground carpark under the scheme, to minimise the podium bulk and the visual impact on the adjacent villages, it is proposed to stipulate in the remarks of the new “R(B)9” sub-zone that underground car park shall be provided.

- 11.18 If the Committee agrees to rezone the Site to the “R(B)9” zone, appropriate revision to the applicants’ proposed Notes of the OZP at **Appendix Ia-1** and the Explanatory Statement would be recommended to reflect the above restrictions when the relevant proposed amendments are submitted to the Committee for consideration.

Public Comments

- 11.19 The supporting comments are noted. Regarding the objections/suggestions/views raised by the general public and TWDC concerning the adverse impacts on traffic, environmental, ecological, visual, air ventilation, slope safety, gas safety aspects and those on the functions of the “GB” zone, relevant planning assessments above and the departmental comments in paragraph 10 are relevant. For public comments related to traffic aspects, the applicants have proposed various traffic improvement measures as detailed in paragraphs 1.5 and 1.6 above.
- 11.20 Regarding the comment on the lack of public consultation, it should be noted that the applicants’ submissions including the FIs submitted have been made available for public inspection according to the relevant provision under the pre-amended Ordinance. If the current application is agreed or partially agreed by the Committee, the proposed OZP amendments will be further submitted to the Committee for approval prior to gazetting under section 5 of the Ordinance. Members of the public can submit representations in respect of the amendments to the OZP to the Board during the two-month statutory exhibition period. The applicants also commit to communicating with the affected occupants and resolve relevant land issues at later stage.

12. Planning Department’s Views

- 12.1 Based on the assessment made in paragraph 11 and having taken into account the public comments as mentioned in paragraph 10, the Planning Department has no in-principle objection to the application to proposed “R(B)9” zone and recommends the Committee to partially agree to the application to rezone the Site to “R(B)9” taking into account the consideration in paragraph 11.17 above.
- 12.2 Should the Committee decide to agree or partially agree to the application, details of the amendments to the Tsuen Wan OZP, together with the revised Notes and Explanatory Statement, will be submitted to the Committee for approval prior to gazetting under the Ordinance.
- 12.3 Alternatively, should the Committee decide not to agree to the application for amendment, the following reasons are suggested for Members’ consideration:
- the development scale of the proposed development is considered incompatible with the surrounding developments. The current zonings are considered appropriate and there is no strong justification to rezone the Site from “GB” and “V” to “R(B)9”.

13. Decision Sought

- 13.1 The Committee is invited to consider the application and decide whether to agree, partially agree, or not to agree to the application.

- 13.2 Should the Committee decide not to agree to the application, Members are invited to advise what reason(s) for the decision should be given to the applicants.

14. Attachments

Appendix I	Application form received on 5.6.2023
Appendix Ia	FI submission received on 14.1.2025 providing responses to departmental comments and a consolidated SPS
Appendix Ia-1	Schedule of Uses of the proposed “R(B)9” zone proposed by the applicants
Appendix II	Detailed Departmental Comments
Appendices IIIa to IIIc	Public Comments
Drawing Z-1	Indicative Layout Plan
Drawings Z-2 to Z-13	Indicative Floor Layout Plans and Section Diagrams
Drawing Z-14	Indicative Landscape Master Plan
Drawings Z-15 to Z-16	Indicative Landscape Section Plans
Drawing Z-17	Photomontages on Landscape Treatments
Drawings Z-18 to Z-20	Photomontages showing the Indicative Scheme at Selected Viewpoints
Drawing Z-21	Plan showing the Building Separation of the Indicative Scheme
Drawings Z-22a to Z-22b	Road Improvement Schemes Proposed by the Applicants
Drawing Z-23	Habitat Map Extracted from the Submitted EcoIA
Drawing Z-24	Tree Treatment Plan
Plan Z-1	Location Plan
Plan Z-2	Site Plan
Plan Z-3a	Aerial Photo
Plan Z-3b	Bird Eye View of the Application Site
Plans Z-4 to Z-7	Site Photos
Plan Z-8	Pedestrian Access to MTR Tsuen Wan Station
Plan Z-9	Maximum Domestic Plot Ratio of Residential Developments and Building Height Plan
Plan Z-10	Proposed Development Restrictions to be Stipulated on the Site

**PLANNING DEPARTMENT
JANUARY 2025**